



GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7393/1
Permit Holder:	City of Busselton
Duration of Permit:	From to 3 June 2017 to 3 June 2022

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of recreation.

2. Land on which clearing is to be done

Lot 410 on Deposited Plan 216960, Busselton.

3. Area of Clearing

The Permit Holder must not clear more than four native trees within the area cross hatched yellow on attached Plan 7393/1a.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

7. Western Ringtail Possum Management Plan

The Permit Holder must implement and adhere to the document ‘Busselton Foreshore Redevelopment, Revised Western Ringtail Possums (*Pseudocheirus occidentalis*) Management and Revegetation Plan. Prepared by Ecosystem Solutions Pty Ltd and City of Busselton, ‘20 April 2017’.

8. Revegetation and rehabilitation

The Permit Holder shall establish and maintain six *Agonis flexuosa* within the area cross hatched red on attached Plan 7393/1b in accordance with the following conditions:

- (a) *planting* is to commence within six months of clearing any area authorised under this Permit; and
- (b) supplementary watering of the *Agonis flexuosa* is to occur between October and May for the duration of the permit.

9. Records to be kept

- (a) In relation to condition 7 of this Permit the Permit Holder must maintain records of activities undertaken in accordance with the Western Ringtail Possum Management Plan.
- (b) In relation to the *planting* of *Agonis flexuosa* pursuant to condition 8 of this Permit:
 - (i) the date that *planting* commenced; and
 - (ii) a description of the *planting* activities undertaken.

10. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
 - (i) of records required under condition 9 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 3 June 2018, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.



Mathew Gannaway
MANAGER
CLEARING REGULATION
DEPARTMENT OF ENVIRONMENT REGULATION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

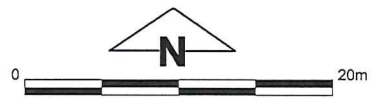
8 May 2017

Plan 7393/1a



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastre



1:474
 (Approximate when reproduced at A4)
 GDA 94 (Lat/Long)
 Geocentric Datum of Australia 1994

MB
 Mathew Gamraway Date *8/5/2017*

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986



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Plan 7393/1b



Legend

-  Roads
-  Imagery
-  Local Government Authority
-  Clearing Instruments Conditions
-  Cadastre



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GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

MS Date *8/5/2017*
Mathew Gannaway

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1. Application details

1.1. Permit application details

Permit application No.: 7393/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Busselton

1.3. Property details

Property: Lot 410 on Deposited Plan 216960, Busselton.
Local Government Authority: City of Busselton
DER Region: Greater Swan
DPaW District: South West
Localities: Busselton

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
	4	Mechanical Removal	Recreation

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 8 May 2017

Reasons for Decision: The clearing permit application received on 7 December 2016 has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing is at variance to principle (b) and is not likely to be at variance to any of the clearing principles.

The Delegated Officer considered that an offset comprising the establishment and maintenance of a total of six peppermint trees (*Agonis flexuosa*) within Lot 509 on Plan 402933 would be required to address the significant residual impacts of the proposed clearing to western ringtail possums (*Pseudocheirus occidentalis*).

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
The application area is mapped as Beard vegetation association 990, described as low forest with peppermint (<i>Agonis flexuosa</i>) (Shepherd et al., 2001).	The application is for the clearing of four native trees within Lot 410 on Deposited Plan 216960, Busselton for the purpose of recreation.	Completely degraded; The vegetation is no longer intact and is completely or almost completely without native species (Keighery, 1994).	The condition and description of the vegetation within the application area was determined by aerial imagery.

3. Assessment of application against clearing principles

Comments

The application is for the clearing of four native trees within Lot 410 on Deposited Plan 216960, Busselton for the purpose of recreation.

The application area is within the Swan Coastal Plain Interim Biographic Regionalisation of Australia region and is mapped as low forest with *Agonis flexuosa* (Shepherd et al., 2001). The application area is considered to be completely degraded (Keighery, 1994). Within the application area four *Agonis flexuosa* species will be cleared.

Fourteen rare flora and 36 priority flora species have been recorded within the local area (10 kilometre radius). Given the proposed clearing is for four *Agonis flexuosa*, the completely degraded (Keighery, 1994) condition of the vegetation and lack of understorey species present the proposed clearing is not likely to impact upon any rare or priority flora species.

Fifteen fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* (WC Act) have been recorded within the local area (10 kilometre radius) (Department of Parks and Wildlife, 2007-). The application area consists of four *Agonis flexuosa*, which are favourable as habitat for the western ringtail possum (*Pseudocheirus occidentalis*) (WRP). The WRP is an arboreal marsupial endemic to south-western Australia (Shedley and Williams, 2014). Its conservation status is currently listed as rare or likely to become extinct under the WC Act and vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. Populations of WRP have significantly declined or become locally extinct over much of its former inland range due to a number of threats due to habitat loss through land clearing and logging. This species was once found throughout forests and woodlands in the south-west of Western Australia. Today, populations are now concentrated in coastal habitats and in close proximity to creeks, swamps and rivers (Shedley and Williams, 2014). The greatest population density of WRP is now found within the Bunbury (Binningup to Dunsborough) coastal strip where there is significant pressure on the habitat for WRP due to rapid urban development (Shedley and Williams, 2014). Given this, it is important to protect remaining habitat for the recovery and conservation of this species (Shedley and Williams, 2014).

WRP surveys undertaken within 150 metres of the application area were conducted in December 2012 and July 2013 and identified that *Agonis flexuosa* were being actively utilised by WRP (NGH Environmental Pty Ltd, 2013; Ecosystem Solutions Pty Ltd, 2013). During the July 2013 survey, 99 WRP dreys were identified within the survey area (Ecosystem Solutions Pty Ltd, 2013). Nocturnal surveys identified 61 WRP one night and 80 the following night (Ecosystem Solutions Pty Ltd, 2013). Given the close proximity of the application area to known occurrences of WRP, WRP may also utilise the area under application. The proposed clearing may impact upon significant habitat for this species.

No watercourses, wetlands, conservation areas or threatened ecological communities recorded within close proximity to the application area.

Given the completely degraded (Keighery, 1994) condition of the vegetation, lack of understorey species and relatively small size of the application area, the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water, cause or exacerbate flooding or be considered a significant remnant within an extensively cleared area.

Given the above, clearing the vegetation within the application area is at variance to principle (b) and not likely to be at variance to the remaining clearing principles.

The applicant has provided a WRP management plan which outlines management practices to mitigate impacts to WRP during clearing activities. The applicant has indicated that six *Agonis flexuosa* trees will be planted within Lot 509 on Plan 402933 to address the significant residual impacts of the proposed clearing to WRP.

Methodology

References:

Ecosystem Solutions Pty Ltd (2013)
Keighery (1994)
NGH Environmental Pty Ltd (2013)
Department of Parks and Wildlife (2007-)
Shedley and Williams (2014)
Shepherd et al. (2001)

GIS Datasets:

SAC Bio datasets, accessed March 2017
Hydrography linear
NLWRA, Current Extent of Native Vegetation
Parks and Wildlife tenure
Geomorphic Wetlands (Classification), Swan Coastal Plain
Soils, statewide

Planning instruments and other relevant matters.

Comments Clearing Permit CPS 5792/4 is located approximately 270 metres north of the application area.

Condition 2 of Clearing Permit CPS 5792/4 requires the Permit Holder to establish and maintain 55 *Agonis flexuosa* within Lot 509 on Deposited Plan 402933 (Part Class A reserve 52463 for the purpose of 'Conservation and Recreation').

Using the Commonwealth's Offsets Assessment Guide (2012), Department of Environment Regulation officers calculated the offset required to mitigate the significant residual impact to western ringtail possums as a result of clearing of four *Agonis flexuosa* trees. This calculation was based on the same ratio calculation that was used to determine the offset required for mitigating the significant environmental impacts identified in the assessment of the original application CPS 5792/1. The calculation determined that the proposed clearing would require the applicant to establish and maintain an additional six *Agonis flexuosa* trees within Lot 509 on Deposited Plan 402933.

No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised in *The West Australian* on 26 December 2016 with a 7 day submission period. No public submissions have been received in relation to this application.

4. References

- Department of Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>.
- Ecosystem Solutions Pty Ltd (2013) Busselton Foreshore and Surrounds - Western Ringtail Possum Survey. Ecosystem Solutions Pty Ltd, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- NGH Environmental Pty Ltd (2013) Busselton Foreshore Redevelopment Project - Western Ringtail Possum Report. NGH Environmental, Western Australia.
- Shedley, E and Williams, K. (2014) An assessment of habitat for Western Ringtail Possum (*Pseudocheirus occidentalis*) on the southern Swan Coastal Plain (Binningup to Dunsborough). Unpublished report for the Department of Parks and Wildlife, Bunbury, Western Australia.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.